

Objection Deadline: April 19, 2022**Hearing Date and Time: May 25, 2022, at 2:00 p.m. (ET)**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

In re:

ORION HEALTHCORP, INC.¹

Debtors.

HOWARD M. EHRENBURG IN HIS CAPACITY
AS LIQUIDATING TRUSTEE OF ORION
HEALTHCORP, INC., ET AL.,

Plaintiff,

v.

ABRUZZI INVESTMENTS, LLC; JOHN
PETROZZA,

Defendants.

**AMENDED NOTICE OF PLAINTIFF'S MOTION TO STRIKE
DEFENDANTS' (I) MOTION FOR SUMMARY JUDGMENT;
AND (II) MOTIONS TO STRIKE AND FOR DEFAULT JUDGMENT**

PLEASE TAKE NOTICE THAT Plaintiff, Howard M. Ehrenberg in his capacity as Liquidating Trustee of Orion Healthcorp, Inc., *et al.*, (the "Plaintiff" or the "Liquidating Trustee"),

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Orion Healthcorp, Inc. (7246); Constellation Healthcare Technologies, Inc. (0135); NEMS Acquisition, LLC (7378); Northeast Medical Solutions, LLC (2703); NEMS West Virginia, LLC (unknown); Physicians Practice Plus Holdings, LLC (6100); Physicians Practice Plus, LLC (4122); Medical Billing Services, Inc. (2971); Rand Medical Billing, Inc. (7887); RMI Physician Services Corporation (7239); Western Skies Practice Management, Inc. (1904); Integrated Physician Solutions, Inc. (0543); NYNM Acquisition, LLC (unknown) Northstar FHA, LLC (unknown); Northstar First Health, LLC (unknown); Vachette Business Services, Ltd. (4672); Phoenix Health, LLC (0856); MDRX Medical Billing, LLC (5410); VEGA Medical Professionals, LLC (1055); Allegiance Consulting Associates, LLC (7291); Allegiance Billing & Consulting, LLC (7141); New York Network Management, LLC (7168). The corporate headquarters and the mailing address for the Debtors listed above is 1715 Route 35 North, Suite 303, Middletown, NJ 07748.

by and through his attorneys, filed *Plaintiff's Motion to Strike Defendants' (I) Motion For Summary Judgment; and (II) Motions To Strike And For Default Judgment* [Dkt No. 51] (the "Motion").

PLEASE TAKE FURTHER NOTICE THAT that a telephonic hearing (the "Hearing") to consider the relief requested in the Motion will be held before the Honorable Alan S. Trust, Chief United States Bankruptcy Judge for the Eastern District of New York, Courtroom 960, United States Bankruptcy Court for the Eastern District of New York, Alfonse M. D'Amato U.S. Courthouse, 290 Federal Plaza, Central Islip, New York 11722 (the "Bankruptcy Court"), on **May 25, 2022, at 2:00 p.m.** (prevailing Eastern Time).

PLEASE TAKE FURTHER NOTICE that, in order to attend the Hearing, in accordance with the Bankruptcy Court's rules and procedures, all parties are required to register for the Hearing at least two (2) business days in advance of the Hearing by using the Court's eCourt Appearances platform: <https://ecf.nyeb.uscourts.gov/cgi-bin/nyebAppearances.pl>. The Court's relevant rules and procedures for attending the Hearing are set forth more fully at <https://www.nyeb.uscourts.gov/content/chief-judge-alan-s-trust>.

PLEASE TAKE FURTHER NOTICE THAT that any responses or objections ("Objections") to the relief requested in the Motion shall be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules for the United States Bankruptcy Court for Eastern District of New York, shall set forth the name of the objecting party, the basis for the objection and the specific grounds therefor, shall be filed with the Bankruptcy Court electronically in accordance with General Order 559 (the "General Order") (which can be found at www.nyeb.uscourts.gov) by registered users of the Bankruptcy Court's case filing system, and shall be served upon counsel for the Plaintiff, Pachulski Stang Ziehl &

Jones LLP, 780 Third Avenue, 34th Floor, New York, New York 10017-2024 (Attn.: Jeffrey P. Nolan, Esq.), no later than **April 19, 2022** (the “Objection Deadline”).

PLEASE TAKE FURTHER NOTICE THAT IF NO RESPONSES TO THE MOTION ARE TIMELY FILED, SERVED AND RECEIVED IN ACCORDANCE WITH THIS NOTICE, THE BANKRUPTCY COURT MAY ENTER THE RELIEF REQUESTED BY THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

Dated: March 29, 2022

Respectfully submitted,

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Jeffrey P. Nolan

Ilan D. Scharf, Esq.

Jeffrey P. Nolan, Esq. (*admitted pro hac vice*)

PACHULSKI STANG ZIEHL & JONES LLP

780 Third Avenue, 34th Floor

New York, New York 10017

Telephone: (212) 561-7700

Facsimile: (212) 561-7777

Counsel For Plaintiff,

Howard M. Ehrenberg in his capacity as

Liquidating Trustee of Orion Healthcorp, Inc., *et al.*